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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/560,399	08/02/2006	Hans-Peter Borufka	011235.57084US	2742
23911 7590 11/19/2007 CROWELL & MORING LLP INTELLECTUAL PROPERTY GROUP P.O. BOX 14300 WASHINGTON, DC 20044-4300			EXAMINER EDGAR, RICHARD A	
			ART UNIT 3745	PAPER NUMBER
			MAIL DATE 11/19/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

CT

Interview Summary	Application No.	Applicant(s)	
	10/560,399	BORUFKA ET AL.	
	Examiner	Art Unit	
	Richard Edgar	3745	

All participants (applicant, applicant's representative, PTO personnel):

- (1) Richard Edgar. (3) _____
 (2) Robert L. Grabarek, Jr. (4) _____

Date of Interview: 15 November 2007.

Type: a) ☒ Telephonic b) ☐ Video Conference
 c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.
 If Yes, brief description: _____

Claim(s) discussed: 6, 7, 14 and 17.

Identification of prior art discussed: US 3,006,603 and EP 0921274 A2.

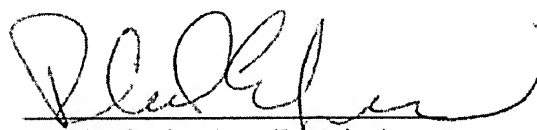
Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.


 Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments.

Applicants' representative discussed the differences between the claimed invention and the combination of the prior art identified above. More specifically, Applicants' representative believes the claimed invention patentably distinguishes over the 35 USC §103 outstanding rejection since none of the references show multiple stages having the shown blade spacing of Caruso et al. The examiner submitted the Caruso et al. single rotor stage duplicated on the integral fan and compressor 12, 14 rotor of EP 0921274 A2 FIG. 1 for each stage is a prima facie case of obviousness. Further, the examiner expressed the Caruso et al. reference could be used under a mere duplication of parts, or similar rejection under 35 USC §103 as current law supports.

Claim 7 was mentioned by Applicants' representative as further defining patentable features over the applied rejection. The examiner construed claim 7 differently than Applicants intended, and the examiner suggested amending the verbiage of claim 7 to distinctly claim that one stage has a relatively different blade spacing than another stage on the same rotor. Claim 7 seems to only require each stage have a different blade spacing (i.e. not uniform) within a stage, which could be the same between stages. But the examiner conceded, this limitation, if argued or distinctly claimed, would patentably distinguish over duplicating Caruso et al. since the stages would not be duplicated. In essence, Caruso et al. would teach away from this limitation. Further consideration and search is of course required.

Further, Applicants' representative expressed concern that the preamble of claim 14 may be considered non-limiting by some. The examiner agreed, and cautioned Applicants' representative to amend the claim or provide arguments defining patentability over the EP 0921274 reference since the claim with the preamble deemed non-limiting would seem unpatentable over at least EP 0921274.

Finally, Applicants' representative argued the examiner has not fully appreciated the patentability determination made by the European Patent Office. The examiner assured Applicants' representative the written record has been reviewed, but the U.S. examiner has not equated 35 USC §103 to rules adopted under the PCT international treaty.